

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-6 are pending; Claims 1 and 3 are amended; Claims 5 and 6 are newly added; and no claims are canceled herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, the specification was objected to; Claim 3 was rejected under 35 U.S.C. § 112, second paragraph; Claims 1-4 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 21-23 of co-pending application serial number 09/984,766; Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by JP 2-12363 (hereafter JP '363); and Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over JP '363 in view of JP 63-163767 (hereafter JP '767).

With regard to the objections to the specification, the noted informalities have been addressed by the present amendment. Accordingly, it is respectfully requested that these objections be withdrawn.

With regard to the rejection of Claim 3 under 35 U.S.C. § 112, second paragraph, that rejection is respectfully traversed. The informalities noted in the outstanding Office Action have been addressed by the present amendment. Accordingly, it is respectfully requested that this rejection be withdrawn.

With respect to the outstanding rejection of Claims 1-4 under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 21-23 of co-pending Application No. 09/984,766, that rejection is also respectfully traversed. Applicants have filed herewith a Terminal Disclaimer against Application No. 09/984,766. Accordingly, it is respectfully requested that this rejection be withdrawn.

With regard to the rejection of Claims 1-3 under 35 U.S.C. § 102(b) as anticipated by JP '363, that rejection is also respectfully traversed.

Claim 1, as amended, recites in part “a rotating body having a surface that is not flat and rolling with the adhesive roll; and means for contacting said adhesive roll with the rotating body, thereby causing said adhesive roll to rotate with the rotating body”

According to the claimed configuration, the rotating body causes the adhesive body to rotate. Because the rotating body does not clean the floor surface, it is possible to reduce a contact area between the rotating body and the adhesive roll. By reducing the size of the contact area, it is possible to prevent adhesion between the adhesive roll and the rotating body, which obstructs the rotation of the adhesive roller. It is also possible to prevent the transfer of the adhesive agent on the surface of the adhesive roll to the rotating body. Thus, improved rotation of the rotating body is achieved, and the adhesive roll can more effectively catch dust collected by the scraping up body.

According to JP '363, the rotation of the first adhesive roller 5 causes the second adhesive roller 7 to rotate. The second adhesive roller 7 collects dust attached to the first adhesive roller 5. It is the first adhesive roller 5 of JP '363 that cleans the floor surface by contacting the floor surface. Thus, JP '363 suffers from the undesirable effects identified above, which are overcome by the configuration recited in Claim 1.

As JP '363 fails to disclose or suggest the configuration recited in Claim 1, it is respectfully submitted that Claim 1 patentably distinguishes over JP '363. It is therefore respectfully requested that the outstanding rejection of Claims 1-3 be withdrawn.

With regard to the rejection of Claim 4 under 35 U.S.C. § 103(a) as unpatentable over JP '363 in view of JP '767, this rejection is also respectfully traversed.

As noted above, JP '363 fails to disclose or suggest the features of Claim 1, from which Claim 4 depends. It is respectfully submitted that JP '767 fails to remedy the defects above noted with regard to JP '363.

JP '767 describes that an adhesive tape collects dust that was attached to the electrostatic roller 3. The electrostatic roller 3 of JP '767 cleans the floor surface by contacting the floor surface. The rotation of the electrostatic roller 3 of JP '767 causes the adhesive tape roller 2 to rotate, which elastically contacts the electrostatic roller 3. From this description, it is evident that JP '767 suffers from the very defects overcome by the configuration recited in Claim 1.

Accordingly, as neither JP '363 nor JP '767, either alone or in combination, discloses or suggests the features of Claim 4, it is respectfully requested that this rejection be withdrawn.

Moreover, it is respectfully submitted that there is no basis in the teachings of either JP '363 or JP '767 to support the applied combination. No translations of either reference are present in the record, and the outstanding Office Action fails to cite to any teachings within either of the untranslated references to support the applied combination. Accordingly, it is respectfully submitted that the combination of JP '363 with JP '767 is based upon hindsight reconstruction, and is improper.

Newly added Claims 5 and 6 recite subject matter previously described in the specification. Claim 5 recites features previously recited in Claim 1. Support for Claim 6 may be found, for example, at page 8 of the specification. As described at page 8, since the scraping up body's diameter is larger than a diameter of the tires, the scraping up portion 16A strongly scrapes up dust due to the rebound force of bending deflection. Thus, dust in a deep portion of carpet fiber may be scraped out. Claims 5 and 6 are further believed to recite features that patentably distinguish over the references of record.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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